

108TH CONGRESS
2D SESSION

H. R. 3954

To authorize the Secretary of the Interior to resolve boundary discrepancies in San Diego County, California, arising from an erroneous survey conducted by a Government contractor in 1881 that resulted in overlapping boundaries for certain lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2004

Mr. HUNTER introduced the following bill; which was referred to the
Committee on Resources

A BILL

To authorize the Secretary of the Interior to resolve boundary discrepancies in San Diego County, California, arising from an erroneous survey conducted by a Government contractor in 1881 that resulted in overlapping boundaries for certain lands, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rancho El Cajon
5 Boundary Reconciliation Act”.

1 **SEC. 2. RESOLUTION OF BOUNDARY DISCREPANCIES, SAN**
2 **DIEGO COUNTY, CALIFORNIA.**

3 (a) **AUTHORITY TO RESOLVE BOUNDARY DISCREP-**
4 **ANCIES.**—The Secretary of the Interior may provide com-
5 pensation to a landowner whose title to land in San Diego
6 County, California, is based on an erroneous survey con-
7 ducted by a Government contractor in 1881 and is ren-
8 dered void because that title is inferior to the title to the
9 same land established by a survey of the Rancho El Cajon
10 conducted in 1872 and approved by the Commissioner of
11 the General Land Office in 1876.

12 (b) **COMPENSATION.**—

13 (1) **FORMS OF COMPENSATION.**—Compensation
14 under subsection (a) shall be mutually agreed upon
15 by the Secretary and the landowner and shall consist
16 of—

17 (A) public lands in San Diego County,
18 California, selected jointly by the Secretary and
19 the landowner and conveyed by the Secretary to
20 the landowner;

21 (B) a cash payment to the landowner; or

22 (C) a combination of a conveyance under
23 subparagraph (A) and cash payment under sub-
24 paragraph (B).

25 (2) **EQUAL VALUE.**—Compensation provided
26 under subsection (a) for a parcel of land whose title

1 was rendered void, as described in such subsection,
2 may not exceed the fair market value of the land, as
3 determined by an appraisal satisfactory to the Sec-
4 retary and the landowner.

5 (3) SOURCE OF FUNDS.—The Secretary may
6 make payments under this subsection using funds
7 available to the Secretary to equalize land exchanges
8 under section 206(b) of the Federal Land Policy and
9 Management Act of 1976 (43 U.S.C. 1716(b)).

10 (c) IDENTIFICATION OF LAND AND LANDOWNERS
11 AFFECTED BY BOUNDARY DISCREPANCY.—Not later than
12 one year after the date of the enactment of this Act, the
13 Secretary shall complete a study to identify those land-
14 owners whose title to land is void or otherwise clouded as
15 a result of the erroneous survey referred to in subsection
16 (a) and who would be eligible to receive compensation
17 under this section. The Secretary shall use the authority
18 provided by subsection (a) to compensate any landowner,
19 already identified as of the date of the enactment of this
20 Act, whose title to lots 1 and 2 of section 9, township 15
21 south, range 1 east, San Bernardino Meridian, is rendered
22 void as described in such subsection.

23 (d) PUBLIC LANDS DEFINED.—In this section, the
24 “public lands” has the meaning given the term in section

1 103(e) of the Federal Land Policy and Management Act
2 of 1976 (7 U.S.C. 1702(e)).

